

DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter claimed and for which a patent is sought on the invention entitled

DEVICE TO GENERATE EXCITED/IONIZED PARTICLES IN A PLASMA, the specification of which [ ] is attached hereto  was filed on as Application Serial No. 09/625,200, on 07/21/2000, and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known to me to be material to patentability in accordance with Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

## Prior Foreign Application(s):

## Priority Claimed

<u>Number</u>	<u>Country</u>	<u>Day/Month/Year filed</u>	<u>Yes</u>	<u>No</u>
19847848.8	Germany	October 16, 1998	X	
PCT/EP99/07617		October 11, 1999		

I hereby authorize the U. S. attorneys and agents named herein to accept and follow instructions from as to any actions to be taken in the Patent and Trademark Office regarding this application without direct communication between the U. S. attorney(s) and the undersigned. In the event of a change in the person(s) from whom instructions may be taken, the U. S. attorney(s) will be so notified by the undersigned.

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

## Prior Provisional Application(s):

<u>Application Number</u>	<u>Filing Date</u>
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

## Prior U. S. Application(s):

<u>Serial No.</u>	<u>Filing Date</u>	<u>Status: Patented, Pending, Abandoned</u>
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following attorney(s) and/or agent(s) listed at the following customer number:

21269



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with full power of substitution and revocation, to prosecute this application and to transact business in the Patent and Trademark Office connected therewith, and all future correspondence should be addressed to the address at the aforementioned customer number.

\*\*\*\*\*

Full name of sole or first inventor: Heinz Steinhardt

Inventor's signature:

Date: 11/08/2000

Residence: Kottingbrunn, Austria

Citizenship: Austrian

Post Office Address: Uilmengasse 13, 2542 Kottingbrunn, Austria

Full name of second inventor: Dr. Alexander Gschwandtner

Inventor's signature:

Date: 11/08/2000

Residence: München, Germany

Citizenship: Austrian

Post Office Address: Elsenheimerstrasse 18, 80687 München, Germany

Full name of inventor: Dr. Josef Mathuni

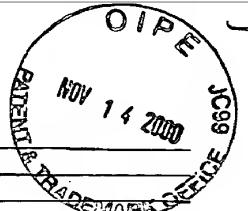
Inventor's signature:

Date: 11/08/2000

Residence: München, Germany

Citizenship: German

Post Office Address: Stademannsrasse 37, 81737 München, Germany



Applicant or Patentee: Heinz Steinhardt, Dr. Alexander Gschwandtner and Dr. Josef Mathuni  
Attorney's Docket No.: 120669-100

Serial or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

For: DEVICE TO GENERATE EXCITED/IONIZED PARTICLES IN A PLASMA

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern  
identified below:

NAME OF ORGANIZATION: R3T Rapid Reactive Radicals Technology

ADDRESS OF ORGANIZATION: Elsenheimerstrasse 18, 80687 München, Germany

I hereby declare that the above identified small business concern qualified as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, oral third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled **DEVICE TO GENERATE EXCITED/IONIZED PARTICLES IN A PLASMA** by inventor(s) Heinz Steinhardt, Dr. Alexander Gschwandtner and Dr. Josef Mathuni, described in

- the specification filed herewith.  
 application Serial No. 09/625,200 filed 07/21/2000  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL       SMALL BUSINESS CONCERN       NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL     SMALL BUSINESS CONCERN     NONPROFIT ORGANIZATION

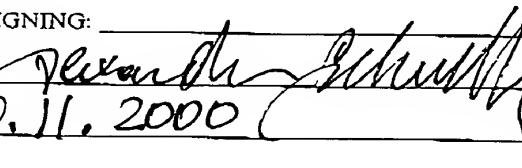
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: \_\_\_\_\_

TITLE IN ORGANIZATION: \_\_\_\_\_

ADDRESS OF PERSON SIGNING: \_\_\_\_\_

SIGNATURE: 

DATE: 10.11.2000